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JUN 28 2006

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

RAMON PEREZ-INIGUEZ,

Defendant.

No. 06-70379 HRL

STIPULATION AND [PROPOSED]
ORDER EXCLUDING TIME

SAN JOSE VENUE

On June 22, 2006, the parties in this case appeared before the Court for a status appearance on the defendant's release conditions. After a custodian was added to the defendant's bond, the parties requested that the arraignment be scheduled for July 20, 2006 before the Honorable Judge Trumbull. The parties requested additional time in order for the government to provide discovery to defense counsel and to allow the parties to explore a pre-indictment resolution. In addition, the defendant, through Assistant Federal Public Defender Angela Hansen, agreed to an exclusion of time under Rule 5 of the Federal Rules of Criminal Procedure and the Speedy Trial Act from June 22, 2006 to July 20, 2006. The parties agree and stipulate that an exclusion of

time is appropriate based on the defendant's need for effective preparation of counsel.

SO STIPULATED:

KEVIN V. RYAN
United States Attorney

DATED: _____

/s/
SUSAN KNIGHT
Assistant United States Attorney

DATED: _____

/s/
ANGELA M. HANSEN
Assistant Federal Public Defender

Accordingly, the Court HEREBY ORDERS that the preliminary hearing or arraignment is continued to July 20, 2006 at 9:30 a.m. before the Honorable Judge Trumbull. Good cause is shown and the continuance is proper under Rule 5 of the Federal Rules of Criminal Procedure and 18 U.S.C. § 3060.

For good cause shown, the Court FURTHER ORDERS that time be excluded under the Speedy Trial Act from June 22, 2006 to July 20, 2006. The Court finds, based on the aforementioned reasons, that the ends of justice served by granting the requested continuance outweigh the best interest of the public and the defendant in a speedy trial. The failure to grant the requested continuance would deny defense counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and would result in a miscarriage of justice. The Court therefore concludes that this exclusion of time should be made under 18 U.S.C. §§ 3161(h)(8)(A) and (B)(iv).

SO ORDERED.

DATED: 6/29/06


HOWARD R. LLOYD
United States Magistrate Judge